

Notice of Allowability

Application No.

10/708,549

Examiner

Lisa M. Caputo

Applicant(s)

FAENZA ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 17 February 2006.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 0206
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 0406
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the amendment filed 17 February 2006.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Carl Wischusen on 28 April 2006.

The application has been amended as follows:

In the claims:

Claims 13 and 20-21 have been amended as follows and replace the previously filed claims. The claims are shown in their entirety and are marked up to show the changes.

13. (Currently Amended) A method according to claim 11, further including the step of pressing an outline of a transaction device into the transporter, the outline pressed substantially through the transporter to enable the transaction device to remain in physical communication with the transporter, the transaction device removable from the transporter, the outline of the transaction device being pressed inside the transporter outer perimeter and outside the RFID module outline, wherein a portion of the removal transaction device intersects the ~~[[magnetic]]~~ magnetic stripe.

20. (Currently Amended) A method for providing a Radio Frequency Identification (RFID) transaction device, comprising:

providing a transaction device transporter, including [[a RFID module;]] an RFID module contained within the transaction device transporter, the RFID module being operable to conduct a RFID transaction using RFID transmission;

pressing a transaction device outline on the transporter, the pressing of the transaction device outline being done circumspect the RFID [[module; and]] module, wherein the transaction device outline lies substantially completely within a perimeter of the transaction device transporter, and said pressing is done with sufficient pressure to perforate substantially through the transporter so that the RFID module and the transporter may remain in physical communication; and

providing the transporter, transaction device, and RFID module to a user for the removal of the RFID transaction device including the module from said transporter in accordance with the transaction device outline.

21. (Currently Amended) A Radio Frequency Identification (RFID) transaction system comprising:

RFID [[operable]] transaction module operable to conduct a RFID transaction using RFID transmission;

a RFID operable transaction device for supporting the module within the transaction device, the RFID module removable from the transaction device for independent [[operation.]] operation,

wherein the RFID transaction module is formed by pressing a transaction device outline on transaction device transporter, the pressing of the transaction device outline being done circumspect the RFID module, wherein the transaction device outline lies substantially completely within a perimeter of the transaction device transporter, and said pressing is done with sufficient pressure to perforate substantially through the transporter so that the RFID module and the transporter may remain in physical communication.

Allowable Subject Matter

3. Claims 1-29 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The best prior art of record fails to teach the specific placement of the RFID module outlines into the sheet (i.e. that the outline is pressed so as to lie substantially completely within a transaction device transporter outside perimeter). Hence the best prior art of record fails to teach the invention as set forth in claims 1-29 and the examiner can find no teaching of the specific method for providing a radio frequency identification transaction device, nor reasons within the cited prior art or on her own to combine the elements of these references other than the applicant's own reasoning to fully encompass the current pending claims. In addition, see applicant's reasoning in amendment/response filed 17 February 2006.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lisa M. Caputo** whose telephone number is **(571) 272-2388**. The examiner can normally be reached between the hours of 8:30AM to 5:00PM Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached at **(571) 272-2398**. The fax phone number for this Group is (571) 273-8300.

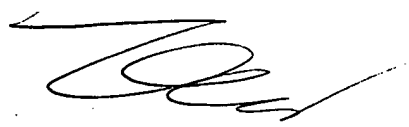
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[lisa.caputo@uspto.gov]**.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LMC

April 28, 2006


THIEN M. LE
PRIMARY EXAMINER